



ORDERED that Plaintiffs' cross-motion for summary judgment is GRANTED [# 61];

ORDERED that the patent term extension granted to U.S. Patent No. 5,053,407 (the "407 Patent") by the United States Patent and Trademark Office is VALID;

ORDERED that Lupin and their officers, agents, servants and employees, and those acting in concert with them, are hereby ENJOINED from making, using, offering to sell, selling, or importing the levofloxacin tablets described in ANDA No. 78-424 or bulk levofloxacin for use in manufacturing such tablets;

ORDERED that the effective date of the products described in 78-424 shall not precede the expiration of the '407 patent, including all term extensions.

ORDERED that the Clerk of the Court CLOSE this case. [Civ. No. 06-4999 (GEB)]

/s/ Garrett E. Brown, Jr.  
GARRETT E. BROWN, JR., U.S.D.J.